

If we answered "No" to excessive force of a defendant. Can that defendant still be charged with punitive damages?

~~_____~~

9-12-07

1:35 pm

on page 17 of Jury Instructions,
item # 3 States we are to
consider the defendants
financial condition ...

~~Does this mean~~ ^{it comes} ~~the defendant~~

~~As the~~ Why do we need
to consider defendants financial
condition? We don't
have information on his
financial condition.

~~[REDACTED]~~

9-12-07

1:30pm

9/12/07
2:41 PM

TO THE JURY:

In response to your first question, if you answer "No" to the question of excessive force to a given Defendant, then you cannot award compensatory or punitive damages against that Defendant.

In response to your second question, Jury Instruction No. 11 sets forth various factors for you to consider in determining the amount of punitive damages to award. It is up to you to determine, based on the evidence, what weight, if any, to give to each of those factors.



RICHARD H. KYLE

Hixon v. City of Golden Valley
CV -06-1548 (RHK|JSM)